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Congressman Rahm Emanuel  
5<sup>th</sup> Congressional District  
State of Illinois  
3742 W. Irving Park Rd.  
Chicago, IL 60618

**RECEIVED**  
MAY 18 2004  
**GROUP 3600**

May 3<sup>rd</sup>, 2003

Re: US Patent Application #09/768,476 Filed on 1/24/01 for "Builders On Line Assistant" and US Patent Application for "Ad Book Online"

Dear Rahm,

We know each other as friends from our community and you also know me as an active campaigner for you and for your issues. Thus you know I've never lobbied you for an issue; I'd never needed to...you're already a strong leader on the issues we share.

But I'd like to express my support for added resources for the U.S. Patent Office. I rarely come in contact with U.S. Government Services. The Patent Office is one time that I do, and the energy and enthusiasm of inventors and small business people anxiously deserve better resources than what they currently provide.

As a builder, I liken this to the often-frustrating process of getting a building permit. But, not only can a patent start a new project, it can launch a new industry that enables financing, jobs and coalesce a new field under a standard bearer.

I'd be delighted to tell you about my ideas. Ad Book Online was filed in 2001, and came from my work with BZAEDS where our kids go to school, it could help raise and process donations of all sorts by consolidating any type of "Ad Book" into a national "stage bill" type of process which serves theaters large and small across the U.S. We have yet to hear back on this application.

My Builders On Line Assistant application was filed on 14/10/00 and amended on 1/24/01 (attorney docket #6040/77752) has thus far cost me over \$30,000 to apply and overcome multiple levels of procedures with no end in sight. Our review has been thoughtful and reasonable to date. But, even though I understand the logic for critical review, it seems A) burdensome to an extreme to both me and examiner, B) lengthy such that I can only pity our delay and what must be an under funded process for us all and C) precludes prompt practical application which, if to err, I'd rather err on the side of liberal granting. After all, granting an easy permit is not a public hazard like granting an unsafe building permit could be.



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A quicker and easier permit will only encourage business innovation and any legal challenge will undergo practical judicial scrutiny once in the market, as it most like would anyway.

I'm still waiting for my initial and final reviews but feel free to use my cases for study (see below). I'd enjoy sharing ideas for innovation in the process (I've only got practical and analogous experience from "building permitting")...

Thank you for allowing me to comment on this important US Government Department and public policy issues.

Yours Respectfully,

Inventor Bruce Fogelson  
Attorney Docket # 6040-77752  
Ref. Appl. #09/483,579 Filed 01/14/00

cc: Mail Stop Comments-Patents  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

cc: Jon P. Christenson  
Welsh & Katz, Ltd.  
120 S. Riverside Plaza, #220  
Chicago, IL 60606

Tr 16. 5/10/04

# It's patently hard to profit from ideas

## Many don't earn back cost of obtaining rights

By Laura Lane  
and Michael Koryta  
Associated Press

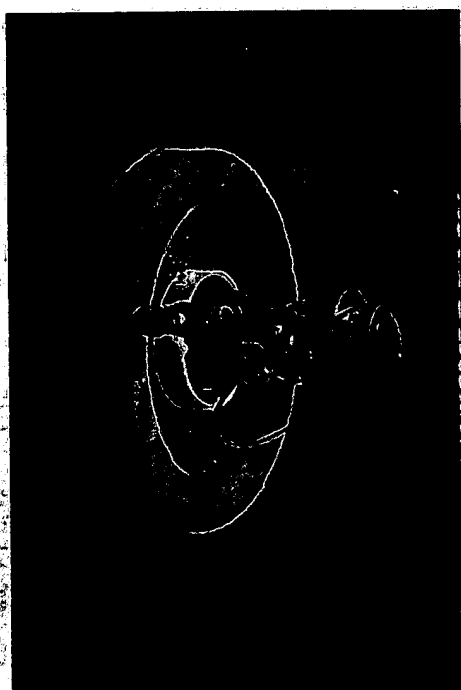
BLOOMINGTON, Ind. — Terry Cockerham considers the wall-mounted toothpaste dispenser he invented an \$8,000 investment that had promise but never pumped forth any Crest.

"It has not made me a wealthy man," the Bloomington caterer said. "We tried to contact Procter & Gamble and places like that, but no one was accepting ideas from outside sources."

It is a familiar story to would-be inventors, whose odds with or without a patent are not good. Robert Humbert, vice president of the Indiana Inventors Association, said financial victories are rare.

"You've got about 1 chance in 400 that a patent will earn back the cost of getting it," Humbert said. "People think of inventing as the road to riches, but that's not always how it works."

While the inventor's idea



A floating fishing lantern invented by Dan Wagener and Tim Honeycutt of Indiana received a patent in 1993, but a lack of money has prevented them from getting it on the market.

typically might lead to a net loss, plenty of people still are seeking patents for what they believe are exceptional devices. In Bloomington, where Indiana University researchers and corporations such as Cook Group routinely seek patents, 700 have been granted.

"Most people lose money on it," Humbert said. "But most inventors are out for the enjoyment and satisfaction. It's just a hobby."

Cockerham's idea came to him 25 years ago, when he was

lubricating his lawnmower using a grease-filled cartridge. "I thought, 'Hmmm, I bet there would be a market for toothpaste packaged in a cartridge rather than a tube.' So I came up with a dispensing unit with a valve in the cartridge of toothpaste."

Cockerham built a prototype from orange plastic. He then applied for and received a patent.

But despite his ingenuity, the invention was not manufactured. "I never got to the money-making stage," he

said. "But I do have a working model and a photograph of it."

Many would-be inventors find themselves left with a great idea that never took off.

"A lot of people come in with an idea, usually a good idea, but you cannot patent an idea," said patent lawyer Frank Lachenmaier. "About 20 percent of the time I'm not able to help them."

The first step in the process is conducting a search of patents for similar inventions.

"I say to people that I have not seen it before, but that does not mean that it does not already exist," Lachenmaier said. About a fourth of inventions he researches have been patented, which is not surprising, considering that more than 6 million patents have been recorded in the U.S.

When someone proposes an unusual idea, Lachenmaier may try to steer them away from it.

"Often I say to them that my background is not in marketing and that one thing they might want to do before spending a lot of money is to have marketing research done to see about the possibilities," he said.

If an idea makes it past the

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